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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Simms *et al.*

Appl. No. 10/073,260

Filed: February 13, 2002

For: **Methods and Compositions for
Isolation of Biological
Macromolecules**

Confirmation No. 6799

Art Unit: 1645

Examiner: *To Be Assigned*

Atty. Docket: 0942.5170001/RWE/ALS

Information Disclosure Statement Under 37 C.F.R. § 1.97(b)

Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. A copy of each document is attached.

The Examiner's attention is directed to the following co-pending U.S. Patent Application, which is directed to related technical subject matter: U.S. Patent Application No. 09/903,864, filed July 13, 2001, and published as U.S. 2002/0012982 on January 31, 2002, and submitted electronically on September 23, 2002. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to this application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following, in regards to non-English language documents AL1, AM1, AO1, and AN2 cited on Form PTO 1449:

Document **AL1**, European Patent No. EP 0 616 638 B1, is in the German language.

An English language translation of document AL1 is provided as document **AR2**.

Document **AM1**, European Patent No. EP 0 733 099 B1, is in the German language.

An English language abstract of document AM1 is provided as document **AS1**.

Document **AO1**, WO 99/22021, is in the German language. An English abstract of document AO1 is provided as document **AT1**.

Document **AN2**, WO 00/24927, is in the German language. An English abstract is attached to this document.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits or before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

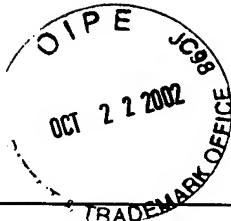


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Date: 10/22/02

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FORM PTO-1449 <u>INFORMATION DISCLOSURE STATEMENT</u>		ATTY. DOCKET NO. 0942.5170001/RWE/ALS	APPLICATION NO. 10/073,260
		APPLICANT Simms et al.	
		FILING DATE February 13, 2002	GROUP 1645

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
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	AH						
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL1	EP 0 616 638 B1	09/28/1994	Europe			X Yes No
	AM1	EP 0 733 099 B1	09/25/1996	Europe			Yes X No
	AN1	WO 98/45311	10/15/1998	WIPO			Yes No
	AO1	WO 99/22021	05/06/1999	WIPO			Yes X No
	AP1	WO 99/61603	12/02/1999	WIPO			Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	1	Chapman, K.B. and Szostak, J.W., "Isolation of a ribozyme with 5'-5' ligase activity," <i>Chem. Biol.</i> 2:325-333, Current Biology Ltd (1995).
	AS	1	Dialog File 351, Accession No. 1995-255056, Derwent WPI English language abstract for EP 0 733 099 B1 (Document AM1).
	AT	1	Dialog File 351, Accession No. 1999-264851 , Derwent WPI English language abstract for WO 99/22021 (Document AO1).

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL2	WO 00/15776	03/23/2000	WIPO			Yes No
	AM2	WO 00/40697 A1	07/13/2000	WIPO			Yes No
	AN2	WO 00/24927	05/04/2000	WIPO			Yes X No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	2	English language translation of EP 0 616 638 B1 (Document AL1).
AS	2	International Search Report for International Application No. PCT/US01/22080, mailed December 14, 2001.
AT	2	International Search Report for International Application No. PCT/US02/04185, mailed July 9, 2002.

EXAMINER

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	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	3	Promega Catalog, pp. 141-145, Promega Corporation, Madison, WI (1993).
	AS	3	
	AT	3	

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